


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

JAN 06 2006


CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACK I. DODGE; JOHN MORGAN;
PATRICIA DODGE; RANDY
ZIMMERMAN; NILA LEWIN;
KARLI KINER; ANTHONY TOLIVER,

Defendants.

CR 05-40097

ORDER

Counsel for the Government has filed a Motion to Continue Trial, Doc. 139, requesting an extension of the trial date, and after consideration of the file in this matter, the Court finds that failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendants in a speedy trial. For all of those reasons as well as those set forth in the Motion to Continue,

IT IS ORDERED:

1. That the Government's Motion to Continue Trial, Doc. 139, is granted.
2. That January 30, 2006, is hereby set as the deadline for submission to the Court of any proposed plea agreements.
3. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
4. That the jury trial herein as to Defendants shall commence in Sioux Falls, South Dakota, on Tuesday, February 21, 2006, with counsel to be present

for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.

5. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendants must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendants in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

Dated this 6th day of January, 2006.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lawrence L. Piersol", written over a horizontal line.

Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Shelly Marguliel
DEPUTY